



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,088	02/11/2004	Tetsuo Kurita	03500.101289.	1605
5514 7590 09/22/2009 FITZPATRICK CELLA HARPER & SCINTO 1290 Avenue of the Americas NEW YORK, NY 10104-3800				
EXAMINER				
ARCOS, CAROLINE H				
ART UNIT		PAPER NUMBER		
2195				
MAIL DATE		DELIVERY MODE		
09/22/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/775,088

Applicant(s)

KURITA, TETSUO

Examiner

CAROLINE ARCOS

Art Unit

2195

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2009 and 01 July 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-39 is/are pending in the application.
- 4a) Of the above claim(s) 31-39 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22, 25 and 28 is/are allowed.
- 6) ☒ Claim(s) 23-24, 26-27 and 29-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 May 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Final Drawing Review (PTO-849)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 22-39 are pending in this application. Claims 22-30 had been examined.

Applicant is required to cancel the non-elected claims in response to this office action

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimura (US 2002/0041395 A1), in view of Perlitsch et al. (US 20020089689 A1).

4. As per claim 23, Kimura teaches the invention substantially as claimed including an information processing apparatus in communication with a printing apparatus which executes a resetting process at a partition between print jobs, the information processing apparatus comprising:

a discrimination unit that discriminates whether a current print job and a next print job succeeding to the current print job are generated by a specific application; (abs.; par. [0013]; par. [0014]; par. [0053]; par. [0057]).

5. Kimura does not explicitly teach that a discard unit that discards information which causes the resetting process when said discrimination unit discriminates that the

current print job and the next print job are generated by the specific application.

6. However, Perlitsch teaches discards information which causes the resetting process when said discrimination unit discriminates that the current print job and the next print job are generated by the specific application (abs.; par. [0040]; par. [0045]; wherein adding a separator only at the end of the application is discarding the resetting process until the application ended which includes all the job belonging to the application finishing).

7. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Kimura and Perlitsch because Perlitsch teaching of combining print application with a separator to separate each application would be well known to be implemented in combination of Kimura teaching of recognizing the job belonging to a specific application which speeds up the printing process and separate each application job.

8. As per claim 24, Perlitsch teaches a transfer unit that sequentially transfers print data to the printing apparatus until job end identifying information included in the print job is detected, wherein said discrimination unit executes the discrimination when a print job including print data is obtained from a spooler and job end identifying information included in the obtained print data is detected (Fig. 1, 28; par. [0039]).

9. As per claim 26, it is the method claim of the information processing apparatus claim 23. Therefore, it is rejected under the same rational.

10. As per claim 27, it is it is the method claim of the information processing apparatus claim 24. Therefore, it is rejected under the same rational.

11. As per claim 29, it is the computer- readable storage medium claim of the information processing apparatus claim 23.

12. As per claim 30, it is the computer- readable storage medium claim of the information processing apparatus claim 24.

Allowable Subject Matter

13. Claims 22, 25 and 28 are allowed over prior art of record.

Response to Arguments

14. Applicant's arguments with respect to claims 23-24, 26-27, 29-30 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2195

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

17. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CAROLINE ARCOS whose telephone number is (571)270-3151. The examiner can normally be reached on Monday-Thursday 7:00 AM to 5:30 PM.

19. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

20. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

Art Unit: 2195

information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Meng-Ai An/

Supervisory Patent Examiner, Art Unit 2195

/Caroline Arcos/
Examiner, Art Unit 2195